

REMARKS

In the official action, all of the claims were rejected, for various reasons. Claims 1-4 and 8 were rejected on the ground nonstatutory obviousness-type double patenting relative to Patent No. 6,502,319. A terminal disclaimer is submitted to overcome this rejection. All of claims 1 through 4 and 8 should be allowed (see additional reasons below regarding prior art relative to claim 8).

Claims 5-7, 10 and 11 are now cancelled. The subject matter of claim 10 is now incorporated in claim 12.

Claims 8, 9, 12, 13, 14 and 15-18 should all be allowable. Each of these claims includes the subject matter of a stud finder attached to a laser instrument that produces a fan-shaped beam. Note that many of these claims are rejected on the basis of the Raskin and/or the Marshall patent. Both of these patents have effective dates no earlier than 2002 (and perhaps later, depending on subject matter of a provisional application). The applicant's subject matter of a stud finder in combination with a laser beam producing a fan-shaped beam, for use on a wall, goes back to Goodrich Patent No. 6,502,319. See, for example, Figure 12 of that patent and the description of that figure. The '319 patent had a filing date of October 4, 2000. Thus, on the face

of the prior art and the applicant's continuing application priority data, these claims predate the cited prior art and should be allowed.

There was also an issue regarding the wording of claim 10, now part of amended claim 12. The claim simply says that the housing has a base side and that the housing has an exit window, not that the exit window is in the base side ("a housing having a base side and having an exit window . . ."). Therefore, it does not seem any revision is needed to this wording.

Favorable action is solicited. However, if the Examiner believes any issue remains, he is asked to telephone the undersigned before issuing a further action.

Respectfully submitted,



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